

PATENT
Customer No. 22,852
Attorney Docket No. 05725.1033

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Michel PHILIPPE et al.) Group Art Unit: 1616
Application No.: 10/086,451) Examiner: Konata M. George
Filed: March 4, 2002) Confirmation No.: 4003
For: ANTI-WRINKLE COSMETIC OR)
PHARMACEUTICAL)
COMPOSITIONS COMPRISING)
POLYMERS AND SALTS THEREOF)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, L'ORÉAL S.A., duly organized under the laws of France and having its principal place of business at 14 Rue Royale, Paris, France 75008, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. 10/086,451, filed March 4, 2002, for ANTI-WRINKLE COSMETIC OR PHARMACEUTICAL COMPOSITIONS COMPRISING POLYMERS AND SALTS THEREOF in the names of MICHEL PHILIPPE and SYLVIE BENARD, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 012922, Frame 0936 on May 22, 2002. Assignee, L'ORÉAL S.A., further represents that it is the assignee of the entire right, title and interest in and to:

10/05/2004 SSITHIB1 00000130 10086451

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110.00 DP

(1) U.S. Patent No. 6,585,962, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 011759, Frame 0601 on May 2, 2001; and

(2) U.S. Patent Application No. 10/086,248, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel 012933, Frame 0144 on May 28, 2002.

Evidentiary documents have been reviewed and, to the best of the undersigned's knowledge and belief, title to the instant application, U.S. Patent No. 6,585,962, and any patent granted on co-pending Application No. 10/086,248 is in the assignee, submitting this Terminal Disclaimer.

To obviate a double patenting rejection, Assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 6,585,962, or of any patent granted on co-pending Application No. 10/086,248. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent and co-pending application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of

the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of prior U.S. Patent No. 6,585,962, or of any patent granted on co-pending Application No. 10/086,248, as presently shortened by any terminal disclaimer, in the event that prior U.S. Patent No. 6,585,962, or of any patent granted on co-pending Application No. 10/086,248 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$110.00 is being filed with this disclaimer.


If there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: October 4, 2004

By: 
Mark D. Sweet
Reg. No. 41,469